

REMARKS

§ 103 Rejection

The Examiner has rejected claims 12 and 14 under 35 U.S.C. § 103 as being unpatentable over Ohashi et al (US Patent 5,514,347) for the reasons explained on pages 2-3 of the Office Action.

Claim 12 is cancelled, so the rejection of Claim 12 is now moot.

With regard to claim 14, and without agreeing to the Examiners argument in favor of the rejection in paragraph a) on page 3 of the Office Action, the claim has been amended to remove the reference to nuggets. Claim 14 should now be in condition for allowance.

Based upon the above amendments, remarks, and papers of records, applicant believes the pending claims of the above-captioned application are in allowable form and patentable over the art of record. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Applicant believes that no extension of time is necessary to make this Reply timely. Should applicant be in error, applicant respectfully requests that the Office grant such time extension pursuant to 37 C.F.R. § 1.136(a) as necessary to make this Reply timely, and hereby authorizes the Office to charge any necessary fee or surcharge with respect to said time extension to the deposit account of the undersigned firm of attorneys, Deposit Account 03-3325.

Please direct any questions or comments to Steven J. Scott at 607-974-3322.

Respectfully Submitted,



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DATE: June 15 2009

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this paper and/or fee or charge authorization is being transmitted to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on June 15 2009 via:

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Signature


Steven J. Scott